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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,867	12/19/2001	Mikko Siikaniemi	324-010670-US(PAR)	1044
2512	7590	10/19/2005	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			TRUONG, LAN DAI T	
			ART UNIT	PAPER NUMBER
			2143	
DATE MAILED: 10/19/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/027,867	Applicant(s) SIIKANIEMI, MIKKO	
	Examiner lan dai thi trung	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/28/03;04/08/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-9 and 11-12 are rejected under 35 U.S.C 103(a) as being un-patentable over Lord et al. (U.S. 6,763,012) in view of Holmstrom et al. (U.S. 6,907,265) further in view of Perlman (U.S. 6,026,079)

Regarding to claims 1-3, 7-9 and 12:

Lord discloses the invention substantially as claimed, including a method and apparatus, which can be implemented in a computer hardware or software code for arranging data transmission in a packet radio system comprising at least one mobile termination part, a terminal equipment part functionally connected thereto, and a packet radio network comprising:

Activating a first packet data protocol context between said packet radio network and mobile termination part for reception and transmission of packet-switched data: (Lord discloses a PDP contexts are used to open connection between “a GPRS” which is equivalent to “packet radio network” with “MT” which is equivalent to “mobile terminal”: column 1, lines 42-61)

However, Lord does not explicitly disclose activating a second packet data protocol context between the packet radio network and the mobile termination part for a dial-up connection

Holmstrom discloses an PDP context is activated for establish dial-up connection, see (Holmstrom: column 4, lines 1-67)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Holmstrom's ideas of activating the PDP context with Lord's system in order to establish connection, see (Holmstrom: column 4, lines 1-67)

However, Lord-Holmstrom does not explicitly disclose deactivating said first context in response to said second context being activated, deactivating said second context in response to the dial-up connection being released; Activating a third packet data protocol context, substantially conforming to said first context, in response to said second context being deactivated.

Perlman discloses a method of disrupt "a modem connection" which is equivalent to "said first context" for "a new call comes in" which is equivalent to "said second context", see (Perlman: column 11, lines 14-41)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Perlman's ideas of disrupting the modem connection for new connection comes in with Lord-Holmstrom's system in order to support for call waiting method, see (Perlman: column 11, lines 14-41)

Regarding to claims 3 and 9:

In addition to rejection in claims 1 and 7, Lord-Holmstrom- Perlman further discloses

Wherein the terminal equipment part and the mobile termination part are physically in different devices, the data of the applications comprised by which can be transmitted via the packet radio network: (Lord discloses “the MT” which is equivalent to “mobile termination”, and “the TEs” what are equivalent to “terminal equipments” are physically in different devices, and the General Packet Radio Service (GPRS) network is equivalent to “the packet radio network”: figure 1, items 14, 12 and 18)

However, Lord does not explicitly disclose said context management entity is arranged to activate said second context at the request of the terminal equipment part, and said context management entity is arranged to activate said first

Said third context for the transmission of data of an application comprised by the mobile termination part: (Lord discloses a PDP contexts are used to open connection between “a GPRS” which is equivalent to “packet radio network” with “MT” which is equivalent to “mobile terminal”: column 1, lines 42-61)

Holmstrom discloses the “PDP context” which is equivalent to “second context” is activated for establish dial-up connection, see (Holmstrom: column 4, lines 1-67)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Holmstrom’s ideas of activating the PDP context with Lord’s system in order to establish connection, see (Holmstrom: column 4, lines 1-67)

Regarding to claim 5:

In addition to rejection in claim 1, Lord-Holmstrom- Perlman further discloses wherein the terminal equipment part and the mobile termination part support a PPP protocol, a PPP link is

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set up between the terminal equipment part and the mobile termination part, and said second context is activated for data to be transmitted via the PPP link: (figure 4, item 15)

Regarding to claims 6 and 11:

In addition to rejection in claims 1 and 7, Lord-Holmstrom- Perlman further discloses wherein the packet radio system is GPRS: (Lord discloses the General Packet Radio Service (GPRS) network is equivalent to “the packet radio network”: figure 1, items 14, 12 and 18)

Claims 2, 4, 8, 10 are rejected under 35 U.S.C 103(a) as being un-patentable over Lord-Holmstrom - Perlman in view of Forslow (U.S. 2003/0039237)

Regarding to claims 4 and 10:

Lord-Holmstrom - Perlman discloses the invention substantially as disclosed in claims 1 and 7, but does not explicitly teach wherein the terminal equipment part and a packet network gateway support node (GGSN) support a PPP protocol (Point to Point Protocol), whereby said second context is activated for setting up a dial-up connection between the mobile termination part and the GGSN, a PPP link is set up between the terminal equipment part and the GGSN, and data associated with an application comprised by the terminal equipment part is transmitted by means of the PPP link and said second context

However, Forslow discloses IP/PPP protocol supports the communication between mobile station and the SCSN such as dial-up connection, see (Forslow: page 7, left column, lines 10-33)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Forslow’s ideas of using IP/PPP protocol to supports the

communication between mobile station and the SCSN with Lord's system in order to enable to establish dial-up connection, see (Forslow: page 7, left column, lines 10-33)

Regarding to claims 2 and 8:

Lord-Holmstrom- Perlman discloses the invention substantially as disclosed in claims 1 and 7, but does not explicitly teach wherein said first context is activated to the packet radio network when the mobile termination part is attached to the packet radio network in accordance with default parameters stored in advance in the mobile termination part, and said third context is activated in accordance with the same default parameters

However, Forslow discloses "a mobile host" which is equivalent to "mobile termination" has to make its presence known to a GPRS network by creating a packet data protocol (PDP) context to establish a logical link, see (Forslow: page 2, left column, lines 59-62, right column, lines 1-9)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Forslow's ideas of making its presence known to a GPRS network by creating a packet data protocol (PDP) context with Lord-Holmstrom- Perlman's system in order to establish a logical link with the GPRS network, see (page 2, left column, lines 59-62, right column, lines 1-9)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to lan dai thi truong whose telephone number is 571-272-7959. The examiner can normally be reached on monday- friday from 8:30am to 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lan Dai Thi Truong
Examiner
Art Unit 2143

Ldt
10/12/2005



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100